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PATTON BOGGS LLP  
ATTORNEYS AT LAW

1660 Lincoln Street, Suite 2050  
Denver CO 80264  
(303) 830-1776

Facsimile (303) 894-9239

## FAX TRANSMISSION

DATE: February 14, 2006

PTO IDENTIFIER: Application Number 09/344261-Conf. #8848

Patent Number

Inventor: Charles C. Wu

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: PATTON BOGGS LLP

James M. Graziano

PHONE: (303) 830-1776

Attorney Dkt. #: 013217.0122PTUS (Wu 4)

PAGES (Including Cover Sheet): 11

CONTENTS:

Certificate of Transmission (1 page)  
Petition For Revival Of An Application For Patent Abandoned Unintentionally, with Statement  
Establishing Unintentional Delay, plus attachments (8 pages)  
Payment by credit card. Form PTO-2038 is attached (1 page)  
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PTO/SB/07 (05-04)

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Application No. (If known): 09/344261

Attorney Docket No.: 013217.0122PTUS

## **Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on February 14, 2006 .  
Date

Elaine C. Vonspreckelsen  
Signature

Elaine C. Vonspreckelsen

Typed or printed name of person signing Certificate

N/A  
Registration Number, if applicable

(303) 894-6163  
Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

1. Petition For Revival Of An Application For Patent Abandoned Unintentionally, with Statement Establishing Unintentional Delay, plus attachments (8 pages)
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<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>	Docket Number (Optional) 013217.0122PTUS (Wu 4)
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First named inventor: Charles C. Wu

Application No: 09/344261-Conf. #8848

Art Unit: 2685

Filed: June 25, 1999

Examiner: C. R. Craver

Title: SYSTEM FOR PROVIDING LOCATION INDEPENDENT UNIFORM SERVICE ACCESS FOR COMMUNICATION SUBSCRIBERS

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity – fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status.  
See 37 CFR 1.27.

Other than small entity – fee \$ 1,500.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Issue Fee Payment (identify type of reply):

has been filed previously on June 7, 2002.

is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1283.00

has been paid previously on June 7, 2002.

is enclosed herewith.

Page 1 of 3

02/16/2006 MBINAS 00000014 09344261

01 FC:1453

1500.00 0P

James Graziano

9708724763

P. 3

PTO/SB/64 (07-05)

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U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

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## 3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

## 4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]



Signature

10 February 2006

Date

---

James M. Graziano

---

Typed or printed name

---

28,300

---

Registration Number, if applicable

---

PATTON BOGGS LLP  
1680 Lincoln Street, Suite 1900  
Denver, Colorado 80264

---

Address

---

(303) 830-1776

---

Telephone NumberEnclosures:  Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: \_\_\_\_\_

Page 2 of 3

228739v1

PTO/SB/64 (07-06)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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First named inventor: Charles C. Wu

Application No: 09/344261-Conf. #8848

Art Unit: 2685

Filed: June 25, 1999

Examiner: C. R. Craver

Title: SYSTEM FOR PROVIDING LOCATION INDEPENDENT UNIFORM SERVICE ACCESS  
FOR COMMUNICATION SUBSCRIBERS**STATEMENT ESTABLISHING UNINTENTIONAL DELAY**

1. A Notice Of Abandonment was issued January 26, 2006 on the instant application, 09/344,261, stating in paragraph 2(c): "The issue fee and publication fee, if applicable, has not been received."
2. A copy of the Part B - Fee(s) Transmittal executed June 7, 2002, and a copy of the postcard showing a mailing date of June 7, 2002, with receipt by the USPTO on June 17, 2002, are attached.
3. A copy of the June 2002 Deposit Account Statement for Deposit Account 50-1602 is attached showing the charge against the deposit account for the issue fee and one copy of the issued patent in the amount of \$1283.00 on June 20, 2002.
4. The Petition Fee of \$1500.00 is enclosed with this submission. However, since the error was on the part of the USPTO, it is requested that the Petition Fee not be charged to the credit card as shown on the Credit Card Payment Form.
5. It is hereby requested that an Issue Notification be issued immediately with a Patent Term Adjustment for the number of days between payment of the Issue Fee (June 7, 2002) and the date of preparation of the Issue Notification.

Page 3 of 3

228739v1

## PART B - FEE(S) TRANSMITTAL

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Complete and mail this form, together with applicable fee(s), to:  
**Box ISSUE FEE  
Assistant Commissioner for Patents  
Washington, D.C. 20231**

FEB 14 2006

**MAILING INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark up with any corrections or use Block 1)

024283 7590 03/11/2002

PATTON BOGGS  
PO BOX 270930  
LOUISVILLE, CO 80027

Note: The certificate of mailing below can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing.

**Certificate of Mailing**  
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above on the date indicated below.

Jennifer Atkinson	(Depositor's name)
Jennifer Atkinson	(Signature)
June 7, 2002	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/344,261	06/25/1999	CHARLES C. WU	WU4	8848

TITLE OF INVENTION: SYSTEM FOR PROVIDING LOCATION INDEPENDENT UNIFORM SERVICE ACCESS FOR COMMUNICATION SUBSCRIBERS

TOTAL CLAIMS	APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
7	nonprovisional	NO	\$1280	\$0	\$1280	06/11/2002

EXAMINER	ART UNIT	CLASS-SUBCLASS
CRAVER, CHARLES R.	2685	455-456000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Use of PTO form(s) and Customer Number are recommended, but not required.

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

"Fee Address" indication (or "Fee Address" Indication form PTO/SB/47) attached.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Patton Boggs LLP

2 \_\_\_\_\_

3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Avaya Technology Corp.

211 Mount Airy Road  
Basking Ridge, NJ 07920

Please check the appropriate assignee category or categories (will not be printed on the patent)  individual  corporation or other private group entity  government

4a. The following fee(s) are enclosed:

Issue Fee

Publication Fee

Advance Order - # of Copies 1

4b. Payment of Fee(s):

A check in the amount of the fee(s) is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Commissioner is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-1602 (enclose an extra copy of this form).

The COMMISSIONER OF PATENTS AND TRADEMARKS is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorizing Signature)

(Date)

6/7/02

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending on the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, United States Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND THIS FORM TO: Box Issue Fee, Assistant Commissioner for Patents, Washington, D.C. 20231

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TRANSMIT THIS FORM WITH FEE(S)

PTOL-85 (REV. 07-01) Approved for use through 01/31/2004. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

RECEIVED  
JUN 26 2002  
PATENT & TRADEMARK OFFICE

Receipt acknowledged by USPTO on the date stamped below:

In Re: Patent application of: Wu, Charles C.

Serial No.: 09/344,261

Date filed: 06/25/1999

Title: SYSTEM FOR PROVIDING LOCATION INDEPENDENT  
UNIFORM SERVICE ACCESS FOR COMMUNICATION SUBSCRIBERS

- Provisional Application for Patent Cover Sheet \_\_\_\_\_ page(s)  
 Specification \_\_\_\_\_ page(s)  Drawings ( \_\_\_\_\_ sheets)  
 Response to Missing Parts \_\_\_\_\_ page(s) No. FIGS \_\_\_\_\_  
 Combined Declaration and POA \_\_\_\_\_ page(s)  formal /  informal  
 Recordation Form Cover Sheet \_\_\_\_\_ page(s)  
 Assignment \_\_\_\_\_ page(s)  IDS \_\_\_\_\_ page(s)  
 Transmittal \_\_\_\_\_ page(s)  cited US ref.  
 Ext of time \_\_\_\_\_ page(s)  cited foreign ref.  
 Amendment \_\_\_\_\_ page(s)  cited other ref.  
 Issue Fee Transmittal 1 page(s) in dupl.

Payment:  Check No \_\_\_\_\_  Deposit Acct / amount of \$ 1,283  
Other: \_\_\_\_\_

Atty: JMG /ja/  1st Class Mail  
Atty Docket No. 13217-1221US Date Mailed: 6/17/02



02/14/2006 14:54 AVAYA HD IP LAW 732 817 4086 → 913038949239

NO. 945 D03  
Page 1 of 3

## Deposit Account Statement



**United States  
Patent and  
Trademark Office**

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Requested Statement Month:

June 2002

Deposit Account Number:

501602

Name:

AVAYA INC-PATENTS

Attention:

BRIAN K DINICOLA

Address:

307 MIDDLETOWN-LINCROFT ROAD

City:

LINCROFT

State:

NJ

Zip:

07738

Country:

UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
06/03	179	10152716	401064A01US	581	\$40.00	\$22,217.00
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NO. 945 D04  
Page 2 of 3

## Deposit Account Statement

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06/21 144 09540297 M-8404 US	581	\$40.00	\$106,362.00
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06/26 59 10174860 4366-83	103	\$252.00	\$101,724.00

Feb-14-06 02:07pm From-PATTON BOGGS LLP

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T-125 P.10/11 F-126

02/14/2006 14:54 AVAYA HO IP LAW 732 817 4086 → 913038949239

NO. 945 D05  
Page 3 of 3

Deposit Account Statement

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06/26 71	880084		585	\$40.00	\$101,516.00
06/26 72	860084		567	\$90.00	\$101,426.00
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06/27 112	10176591	287562-US-CO	103	\$72.00	\$100,574.00
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06/28 54	09325178	3-14-5-1-15	142	\$1,280.00	\$93,285.00
06/28 55	09325178	3-14-5-1-15	581	\$3.00	\$93,282.00
06/28 56	09325178	3-14-5-1-15	185	\$300.00	\$92,982.00
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06/28 388	09239435	1298/OE749	581	\$3.00	\$91,699.00

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$22,257.00	\$80,558.00		\$100,000.00
			\$91,699.00

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